

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
Lance E. Stone	:	Chapter 13
Javette L. Stone	:	
	:	
Debtors	:	Case No.: 18-14682-JKF

MOTION TO RECONSIDER DISMISSAL

Comes Now, Lance and Javette Stone, hereinafter referred to as “Debtors” and move this Honorable Court to vacate its December 4, 2019 Order Dismissing the instant matter and in support thereof aver the following:

1. The above captioned bankruptcy matter was filed as a Chapter 13 on or about July 16, 2018.
2. The Chapter 13 bankruptcy matter was assigned case number 18-14682.
3. The Chapter 13 Plan was confirmed by this Honorable Court on April 24, 2019.
4. On or about July 15, 2019 the Chapter 13 Trustee filed a Motion to Dismiss the instant matter for failure to make timely and regular Chapter 13 payments.
5. In furtherance of the Trustee’s Motion the instant matter was dismissed on December 4, 2019.
6. Due to a miscommunication, Debtors case was dismissed prior to filing a Motion to Convert the case to Chapter 7.
7. The Debtors are desirous of converting their case to Chapter 7.

WHEREFORE, for the reasons stated herein, the Debtors respectfully request that this Honorable Court Reconsider its December 4, 2019 Order dismissing the instant matter.

Respectfully submitted,

/s/ Brad J. Sadek, Esquire

Brad J. Sadek, Esquire

Sadek and Cooper

1315 Walnut Street

Suite 502

Philadelphia, PA 19107

Dated: December 10, 2019

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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Javette L. Stone	:	
	:	
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ORDER

AND NOW, this ____ day of _____ 2019, upon consideration of the Motion to Reconsider Dismissal, it is hereby;

ORDERED and DECREED that the motion is GRANTED and the Order of this Court dated December 4, 2019 Dismissing the case is vacated;

FURTHER ORDERED:

Hon. Jean K. FitzSimon

UNITED STATES BANKRUPTCY COURT
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CERTIFICATE OF SERVICE

I Brad J. Sadek, Esq. certify that on the date indicated below I served a true and correct copy of the Motion To Reconsider Dismissal by Regular US Mail or electronic means on all creditors and the following parties:

SCOTT F. WATERMAN
Chapter 13 Trustee
2901 St. Lawrence Ave.
Suite 100
Reading, PA 19606

Respectfully submitted,

Dated: December 10, 2019

/s/ Brad J. Sadek, Esquire
Brad J. Sadek, Esquire
Sadek and Cooper
1315 Walnut Street
Suite 502
Philadelphia, PA 19107

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Notice of Motion, Response Deadline and Hearing Date

Brad J. Sadek, Esq., attorney for the Debtor, filed a Motion to Reconsider the December 4, 2019 Order Modifying the Automatic Stay for the reasons detailed in the enclosed Motion.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy case. (If you do not have an attorney you may wish to consult an attorney).

1. If you do NOT want the court to grant the relief sought in the motion, then on or before December 24, 2019 you or your Attorney must do ALL of the following:

If you mail your answer to the clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and

(a) file an answer explaining your position at:
United States Bankruptcy Court
Eastern District of Pennsylvania
900 Market Street
Philadelphia, PA 19107

(b) mail a copy to the movant's attorney:
Brad J. Sadek, Esq.
Sadek and Cooper
1315 Walnut Street, Suite 502
Philadelphia, PA 19107

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the court may enter an order granting the relief requested in the enclosed motion.

3. A hearing on the motion is scheduled to be held before the Honorable Jean K. FitzSimon on January 7, 2020 at 9:30 AM at United States Bankruptcy Court, 900 Market Street, Courtroom #3, Philadelphia, Pennsylvania, 19107.

4. You may contact the Bankruptcy Clerks office at 215-408-2800 to find out whether the hearing has been cancelled because no one filed an answer.